

IN THE UNITED STATES DISTRICT FOR
THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

HOLCOMBE, et. al,

Plaintiffs

vs.

UNITED STATES OF
AMERICA,

Defendant

NO. 5:18-CV-00555-XR

(consolidated cases)

SANCTIONS STIPULATION

The Court in the above styled action ordered sanctions against the United States. The United States filed a motion to reconsider sanctions, which was denied on November 5, 2019. ECF No. 161.

The Parties agree to calculate the value of the sanction as described here. In agreeing to the amount to be paid to Plaintiffs' counsel, the United States reserves its right to appeal the imposition of sanctions against it. Plaintiffs' counsel does not agree that the hourly rates detailed here represent the reasonable, usual, and customary amounts that counsel would charge, if billed hourly, using the specific factors outlined in *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714 (5th Cir. 1974). However, the Court specifically instructed the Parties to calculate the hourly rate for the limited purpose of determining the financial value of a discovery sanction by using the median hourly rates for the San Antonio Region by years of experience published by the Texas State Bar as follows:

LAWYER	CATEGORY	RATE	TOTAL
Jamal K. Alsaffar	16-20 years	\$284.00	\$426.00
Tom Jacob	7-10 years	\$250.00	\$375.00
April A. Strahan	11-15 years	\$250.00	\$375.00
Daniel D. Barks	21-25 years	\$288.00	\$432.00
Dennis C. Peery	25+ years	\$300.00	\$450.00
Daniel J. T. Sciano	25+ years	\$300.00	\$450.00
Justin B. Demerath	16-20 years	\$284.00	\$426.00
Brett T. Reynolds	25+ years	\$300.00	\$450.00
George L. Legrand	25+ years	\$300.00	\$450.00
Jorge A. Herrera	11-15 years	\$250.00	\$375.00
Dennis Bentley	7-10 years	\$250.00	\$375.00
Kelly W. Kelly	16-20 years	\$284.00	\$426.00
		Total:	\$5,010.00

Agreed to on behalf of the United
States:

/s/ Paul David Stern
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CERTIFICATE OF SERVICE

By our signatures above, we certify that a copy of Sanctions Stipulation has been sent to the following on November 22, 2019 via the Court's CM/ECF notice system.

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